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Susan M. Freeman (AZ Bar No. 4199) *pro hac vice*
Rob Charles (NV Bar No. 6593)

Anne M. Loraditch (NV Bar No. 8164)

LEWIS AND ROCA LLP

3993 Howard Hughes Parkway, Suite 600

Last Vegas, Nevada 89169

Telephone (702) 949-8200

Facsimile (702) 949-8398

Email: sfreeman@lralw.com

rcharles@lrlaw.com

aloraditch@lrlaw.com

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC, USA CAPITAL FIRST TRUST
DEED FUND, LLC, USA SECURITIES, LLC,
Debtors.

Affects:

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund,
LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR

Case No. BK-S-06-10726-LBR

Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR

Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under

Case No. BK-S-06-10725 LBR

**SECOND STIPULATION TO EXTEND
DEADLINE TO FILE COMPLAINT
TO AVOID AND RECOVER PRE-
PETITION TRANSFERS PURSUANT
TO 11 U.S.C. §§ 547, 548 AND 550**

USACM Liquidating Trust (the "Trust") and Scotsman Publishing, Inc.
("Scotsman," together with the Trust, the "Parties"), by and through their undersigned
counsel, hereby stipulate to further extend the deadline for the Trust to file a complaint to

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1 avoid and recover pre-petition transfers pursuant to 11 U.S.C. §§ 547, 548, and 550 (the
2 “Stipulation”) against Scotsman. In support of this Stipulation, the Parties state as
3 follows:

4 1. The Trust asserts that it has claims against Scotsman for the avoidance and
5 recovery of preferential and/or fraudulent pre-petition transfers (the “Transfers”) received
6 from USA Commercial Mortgage (“USACM”) by Scotsman during the 90-day period
7 preceding the filing of USACM’s chapter 11 bankruptcy case on April 13, 2006 (the
8 “Petition Date”).

9 2. On February 12, 2008, in pursuit of its avoidance claims, the Trust made
10 demand upon Scotsman for the return of the Transfers. Counsel for Scotsman responded
11 to the Trust’s demand indicating a further response would be forthcoming upon receipt of
12 additional information from Scotsman.

13 3. The Trust is continuing its dialogue with Scotsman regarding the Transfers
14 and the services Scotsman provided to USACM pre-petition. The current deadline for the
15 Trust to file a complaint to avoid and recover the Transfers, pursuant to 11 U.S.C. §§ 547,
16 548, and 550 (“Complaint”), is May 12, 2008, pursuant to the Court’s Order Approving
17 Stipulation To Extend Deadline To File Complaint To Avoid And Recover Pre-Petition Transfers
18 Pursuant To 11 U.S.C. §§ 547, 548 and 550 [Docket No. 6186] entered April 11, 2008.

19 4. In order to afford the Parties additional time to explore a possible resolution
20 to this matter, the Parties have agreed that a further extension of the deadline for filing a
21 Complaint is warranted.

22 5. The Parties submit that an extension to Thursday, June 12, 2008, of the
23 deadline for filing a Complaint is reasonable and will effectively conserve the Court’s
24 valuable resources and serve the efficiencies of this matter by facilitating the exploration
25 of a resolution of the Trust’s avoidance claims against Scotsman.

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1 WHEREFORE, the Parties request that the Court enter an order approving this
2 Stipulation and extending the deadline, to and including Thursday, June 12, 2008, for the
3 Trust to file a Complaint against Scotsman.

4 Respectfully submitted:

5 LEWIS AND ROCA LLP

WILLIAMS, KASTNER & GIBBS
PLLC

7 By /s/Anne M. Loraditch
8 Susan Freeman, Esq., *pro hac vice*
9 Rob Charles, Esq.
10 Anne M. Loraditch, Esq.
11 3993 Howard Hughes Pkwy, Suite 600
Las Vegas, Nevada 89169
Telephone: (702) 949-8200
Attorneys for USACM Trust

By s/Sheena R. Aebig
Sheena R. Aebig, Esq.
Two Union Square
601 Union Street, Suite 4100
Seattle, Washington 98101
Telephone: (206) 628-6600
Attorneys for Scotsman Publishing, Inc.

12 DATED: May 9, 2008

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